

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CARPENTERS FRINGE BENEFIT	)	
FUNDS OF ILLINOIS, <i>et al.</i> ,	)	
	)	CIVIL ACTION
Plaintiffs,	)	
	)	NO. 08 C 0478
vs.	)	
	)	JUDGE AMY J. ST. EVE
JOHN C. WYMAN, individually and d/b/a	)	
WYMAN CONSTRUCTION,	)	
	)	
Defendant.	)	

**MOTION FOR ENTRY OF JUDGMENT**

Plaintiffs, by and through their attorneys, default having been entered against the Defendant on March 17, 2008, request this Court enter judgment against Defendant, JOHN C. WYMAN, individually and d/b/a WYMAN CONSTRUCTION. In support of that Motion, Plaintiffs state:

1. On March 17, 2008, this Court entered default against Defendant and granted Plaintiffs' request for an order directing an audit of the Defendant's payroll books and records. The Court also entered an order that judgment would be entered after the completion of the audit.

2. Plaintiffs' auditors previously completed an audit on July 9, 2007. The audit findings show that the Defendant is delinquent in contributions to the Funds in the amount of \$4,073.32. (See Affidavit of Deborah L. French).

3. Additionally, the amount of \$2,931.93 is due for liquidated damages. (French Aff. Par. 6).

4. Pursuant to the Trust Agreements, a liquidated damages surcharge has been assessed against the Defendant in the amount of one and one-half (1.5%) percent of the total contributions

untimely received, compounded monthly at one and one-half (1.5%) percent, for the period accrued through October 31, 2008, in the total amount of \$147.34. (French Aff. Par. 7).

5. In addition, Plaintiffs' firm has expended the total amount of \$6,528.75 for attorneys' fees and \$759.60 for costs in this matter. (See Affidavit of Catherine M. Chapman).

6. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$14,440.94.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$14,440.94.

/s/ Jennifer L. Dunitz-Geiringer

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### **CERTIFICATE OF SERVICE**

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion for Entry of Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 20th day of January 2009:

Mr. John C. Wyman  
Wyman Construction  
730 Hackberry Court  
Bartlett, IL 60103

/s/ Jennifer L. Dunitz-Geiringer

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